

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GUILLERMO TRUJILLO CRUZ,

Plaintiff,

v.

S. SAVOIE,

Defendant.

Case No. 1:21-cv-01350-ADA-HBK (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(ECF No. 9)

Plaintiff Guillermo Trujillo Cruz is a state prisoner proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983. (ECF No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 29, 2022, the Magistrate Judge issued a findings and recommendations, recommending that Plaintiff's application to proceed in forma pauperis be denied and that he be required to pay the \$402.00 filing fee in full to proceed in this action because: (1) he is subject to the three strikes bar under 28 U.S.C. § 1915(g); and (2) the allegations in Plaintiff's complaint do not satisfy the "imminent danger of serious physical injury" exception to § 1915(g). (ECF No. 9 at 1–9.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were due within fourteen days after service. (*Id.* at 1, 8–9.) After seeking an extension of time, Plaintiff filed objections attaching nearly 100 pages of inmate grievances August 17, 2022. (*See* ECF No. 11.)

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a
2 de novo review of this case. Having carefully reviewed the entire file, the Court finds the
3 findings and recommendations to be supported by the record and by proper analysis.

4 ACCORDINGLY, it is ORDERED:

- 5 1. The findings and recommendations (ECF No. 9) issued on July 29, 2022 are
6 adopted, in full;
- 7 2. Plaintiff's motion to proceed in forma pauperis (ECF No. 6) is denied;
- 8 3. Within twenty-one (21) days following service of this order, Plaintiff shall pay the
9 required \$402.00 filing fee in full to proceed with this action; and
- 10 4. Plaintiff's failure to timely pay the filing fee within the specified time will result in
11 the dismissal of this action.

12
13
14 IT IS SO ORDERED.

15 Dated: November 9, 2022

16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT JUDGE